Applicant : Steve L. Flenniken, et al.
Serial No. : 10/032,246
Filed   : December 21, 2001
Page   : 5 of 7

Attorney's Docket No.: 07844-519001 / P481

REMARKS

Claims 1-4 were pending. Claims 1 and 3 have been amended. Claims 2 and 4 have been cancelled. Claims 5 and 6 have been added. Claims 1, 3, 5 and 6 are now pending, of which claims 1 and 3 are independent. Reconsideration of the action mailed April 8, 2004, is requested in light of the foregoing amendments and the following remarks.

The Examiner rejected claims 2 and 4 under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner rejected claims 1-4 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,415,278 ("Sweet") in view of U.S. Patent No. 5,890,147 ("Pentonen").

SECTION 112 REJECTIONS

Claims 2 and 4 stand rejected as indefinite. Applicant has cancelled claims 2 and 4 and submits that the § 112 rejection is now moot.

SECTION 103(a) REJECTIONS

Claim 1 stands rejected as unpatentable over Sweet in view of Pentonen. Claim 1, as amended, recites "if the second electronic document is not located in the reference directory, sequentially searching higher directories than the reference directory until the second document is located." Neither Sweet nor Pentonen disclose or suggest sequentially searching higher directories than a reference directory to locate an electronic document.

The Examiner does not assert that Sweet discloses searching for an electronic document by searching higher directories than a reference directory and looks to Pentonen for the limitation. In Pentonen, a method for scope testing documents to determine which documents to return as results in a search process is disclosed. A criteria matching component first locates documents that match a restriction and then a scope testing component narrows the located documents to those within a specified scope. *See* col. 5, lines 1-8. The criteria matching component uses the file system and drive index to locate files matching a given restriction, for example, all files containing the term "doc" regardless of location. *See* col. 5, lines 38-67. The scope testing component then examines each located document to determine if the document is

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Serial No. : 10/032,246
Filed   : December 21, 2001
Page   : 6 of 7

Attorney's Docket No.: 07844-519001 / P481

in the desired scope, for example, document located within a particular set of folders. *See* col. 1, lines 30-37. Of the located documents, only the documents in the desired scope are included in a results set.

Specifically, the Examiner cites col. 11, line 60 to col. 12, line 16 which reads:

> Using a document ID to parent document ID mapping table or the like, step 202 determines that the immediate parent folder document ID of DOC B is 6 (for folder F6, FIG. 14). The cache 98 is searched at step 204, and, since there is no entry for 6, the process branches to step 208, where it is determined that at least one specified scope is deep. In this embodiment, the process then continues to step 400 of FIG. 13 (instead of FIG. 11).
>
> Step 400 obtains the document IDs of all folders in the path of DOC 11, that is, 6, 3, 1, 0, using an appropriate document ID to parent document ID table or the like. Step 400 sets the current document ID to the next up in the path, the parent folder's document ID of 3, since folder F6 with a document ID of 6 has already been used as a key without success. The next step, step 402, searches the cache 98 with the current document ID of 3. Since 3 is not in the cache 98, step 404 branches to step 406 where a test is performed to determine if the current document ID is that of the root directory, in which case no further parents are available. In the present example, other parents exist, and this the process branches to step 408 where the current document ID is set equal to the parent document ID of 1 (of the parent folder F1). The cache 98 is then searched with the new current document ID of 1.

The cited section of Pentonen describes a situation in which a located document, DOC B, is scope tested. The parent folder of DOC B is determined and the folder ID is matched against cache 98. The cache is used to store scope information about different folders. *See* col. 6, lines 35-45. If the ID of the folder is found in the cache, then the document is in scope. If the ID of the folder is not found, the next higher folder is checked against the cache. Thus, the cited section describes a process for identifying the parent folder, and if necessary, higher folders of a document in order to determine whether or not any of the higher folders are in scope. If the folder is in scope, then the document can be returned as part of the search results. Pentonen does not disclose or suggest searching higher folders for electronic documents. Because the location of the electronic documents are already known, neither the parent folder, nor any higher folder is searched for a document. Applicant respectfully submits that claim 1 is in condition for allowance.

Applicant : Steve L. Flenniken, et al.   Attorney's Docket No.: 07844-519001 / P481
Serial No. : 10/032,246
Filed   : December 21, 2001
Page   : 7 of 7

Claim 3 stands rejected as unpatentable over Sweet in view of Pentonen. Claim 3, as amended, recites "if the second electronic document is not located in the reference directory, sequentially search higher directories than the reference directory until the second document is located." Neither Sweet nor Pentonen disclose or suggest sequentially searching higher directories than a reference directory to locate an electronic document. For at least the reasons set forth above with respect to claim 1, claim 3 is in condition for allowance.
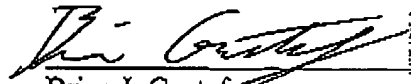
NEW CLAIMS

Claims 5-6 have been added. Claims 5-6 are method claims, which depend from claim 1. For at least the reasons set forth above with respect to claim 1, claims 5-6 are allowable.

Applicant respectfully requests that all pending claims be allowed. Applicant believes that no fee is currently due, however the commissioner is authorized to apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _15 June, 2004_

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